

Appl. No.: 09/768,817
Amendment Dated 02/13/2006
Reply to Office Action of August 11, 2005

REMARKS

Applicant thanks the Examiner for a thorough review of the above-referenced application. As explained more fully below, Applicant has amended independent Claims 1, 29, and 31, and dependent Claims 2-6 and 9-28. As a result of these amendments, Claims 7, 8, 30, and 32 have been cancelled. Applicant reserves the right to pursue claims identical in scope to the canceled claims in a later filed application. Applicant requests reconsideration of Claims 1-6, 9-29, and 31 in view of the Amendments and Remarks set forth herein.

The Rejections Under § 101 Are Overcome

The Office Action rejected Claims 1-28 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully traverses the rejection. In this regard, the preambles of Claims 1-6 and 9-28 have been amended to include the phrase in an electronic network. Additionally, pursuant the Examiner's suggestion, the phrase via a computer has been added to the method steps of independent Claim 1 and to the dependent claims reciting additional method steps. Support for this amendment may be found, among other places, in FIG. 7 and on Page 23, Lines 14-36 of Applicant's specification. Accordingly, Applicant submits that independent Claim 1 and dependent Claims 2-6 and 9-28 are directed to statutory subject matter, as more clearly indicated by the aforementioned amendment, and, therefore, this rejection should be withdrawn.

The Claim Objections Are Overcome

The Office Action indicated that Claims 8-16 were objected to as being dependent upon a rejected base claim, but would be otherwise allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicant has amended independent Claim 1 to include the limitations of canceled Claim 8 and intervening Claim 7. Claims 2-6 and 9-28 depend from independent Claim 1 and thus, as amended, also include the limitations of canceled Claim 8 and intervening Claim 7. In addition, independent Claims 29 and 31, which are directed to a computer executable software code and a programmed

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computer system, respectively, have been amended to include the limitations of Claim 8 and intervening Claim 7.

Applicant has made additional amendments as requested by the Examiner to cure informalities. Specifically, Claim 2 has been amended to replace “vale” with “value,” and Claim 5 has been amended to replace “os” with “of.”

As a result, Claims 1 – 6, 9-29, and 31 have been amended as suggested by the Examiner, and are thus in a condition for allowance.

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CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that Claims 1-6, 9-29, and 31 of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Felten is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Janet F. Sherrill